Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Implementation of the Local Competition Provisions of the Telecommunications Act of 1996	)	CC Docket No. 96-98

OPPOSITION OF SPRINT TO PETITIONS FOR RECONSIDERATION

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SUMMARY

Performance Standards: Sprint favors performance reporting by ILECs, but opposes TCG's request to impose specific performance standards and penalties for failure to meet those standards.

Unbundled Elements: Other than multiplexing and cross connects, requests for identification of additional mandatory unbundled elements should be denied. Sprint opposes MFS' request for a rule precluding ILECs from charging for conditioning copper loops whose length is less 18,000 feet. Sprint agrees with WorldCom that usage-based shared transport facilities should be available from a serving wire center to an end office via a tandem switch, and between two ILEC end offices. Many parties share Sprint's view that some change in the effective date for electronic interfaces with ILEC operations support systems is needed. The Commission should set deadlines for development and implementation of national standards, and allow for negotiated interim interfaces.

Pricing of Unbundled Network Elements: Sprint opposes AT&T's two suggested options for determining reasonable utilization factors. Sprint opposes geographic deaveraging of proxy loop prices, since there is no principled basis on which to undertake such deaveraging. Sprint also opposes statewide deaveraging of permanent loop prices; such deaveraged prices should reflect the individual ILEC's TELRIC. Existing rates for collocation and transport are not based on TELRIC, and the Commission should undertake to develop TELRIC-based proxies in

its forthcoming rulemaking on proxy models. The Commission should deny requests to extend the transitional application of access charges to purchasers of unbundled switching. It is premature to adopt a definitive model for computing TELRIC costs at this time, and the Commission should instead proceed with the separate rulemaking promised in ¶835.

Resale Issues: Taking the Commission's determinations on avoided costs as given, Sprint agrees with MCI's suggested changes in the methodology for computing the discount. Sprint also agrees with the clarifications MCI has proposed with respect to short term promotions. Sprint opposes the request of LECC to exempt customer-specific contracts from the wholesale discount obligation.

Reciprocal Compensation: Sprint opposes NCTA's request to preclude states from defining local calling areas. Sprint opposes the requirement that, under symmetrical reciprocal compensation arrangements, ILECs must pay CLECs for tandem switching. If the ILEC's transport and termination rates do not adequately cover the CLEC's costs, the CLEC should be entitled to an asymmetrical rate based on its costs.

Access To Rights Of Way: The Commission should deny WinStar's request for access to rooftops of ILEC buildings that have nothing to do with the ILECs' distribution networks. There is no "bottleneck" over rooftops in general.

State Regulation Of CLECs: The Commission should reject attempts to allow states to impose §251(c) obligations on CLECs.

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Sprint Corporation hereby submits its views on certain of the petitions for reconsideration filed in response to the Commission's First Report and Order in the above-captioned docket. Sprint does not attempt to address all the issues raised in the 40+ petitions that have been filed. Sprint's silence on a particular issue should not be construed as either acquiescence in, or a tacit objection to, petitioners' arguments.

I. EXPLICIT PERFORMANCE STANDARDS (¶¶307-311)

TCG (at 3-6) urges the Commission to establish explicit performance standards for ILECs, together with performance reporting requirements, and financial penalties for failure to meet these standards. TCG disputes the Commission's belief that it lacked a sufficient record to impose such rules.

Sprint does not share completely TCG's view as to the state of the record, particularly with respect to performance standards. Sprint notes in this context that TCG's petition

does not articulate the specific performance standards and penalties it would have the Commission impose. However, Sprint believes TCG's request for quarterly reporting by ILECs, as described at 5-6, is a reasonable one. Submission of such data on the public record would enable regulatory agencies and all interested persons to ascertain whether or not a particular ILEC is behaving in a discriminatory manner. ILECs who are not involved in discriminatory conduct may well find that the burden of submitting this information is more than offset by averting claims, based on incomplete information, that the carrier is engaged in discrimination. And if any ILEC is engaging in discriminatory practices, reports such as those TCG proposes may be the only practical way to make that discriminatory conduct known.

II. UNBUNDLED NETWORK ELEMENTS (¶¶366-541)

A. Additional Unbundled Elements

ALTS (at 7-8) seeks identification of multiplexing and cross connects as unbundled elements. ALTS (at 11-12), MCI (at 16-20), and MFS (at 9-11) argue for mandatory sub-loop unbundling. AT&T (at 36-37) and MCI (at 21-23) urge the Commission to include dark fiber as mandatory unbundled element. Finally, MCI (at 24-28) urges the unbundling of unmediated access to AIN.

With the exception of multiplexing and cross connects, Sprint opposes any further identification of mandatory

unbundled elements at this time. Multiplexing and cross connects are a fixture in the ILECs' current access and interconnection offerings, and there is no reason why the Commission should not order these basic building blocks to be provided as unbundled network elements for purposes of local interconnection. The other requested elements -- sub-loop unbundling, dark fiber and unmediated access to AIN -- are not generally available today. It may technically feasible to offer certain of these components as unbundled elements (e.g., subloop unbundling and dark fiber) but, as Sprint explained in its Comments (at 30-32), requiring all carriers to make such elements universally available, in the absence of widespread demand for these elements, could impose substantial costs on ILECs which they might never recover if the demand for these elements does not materialize in a widespread fashion. CLECs, of course, have the right to request any further unbundled elements beyond the Commission's set of prescribed elements, and the burden is properly on the ILECs to show that such unbundling is not technically feasible. Thus, failure to include such elements in a mandatory list should not preclude their availability in cases where there is a demand for them.

On the other hand, Sprint opposes the Local Exchange Coalition ("LECC") in suggesting (at 29-31) that ILECs should not be required to offer new technology or combine unbundled elements in ways that the ILEC itself does not employ them.

Sprint believes the only relevant criterion (absent some demonstrable showing of harm to the network) is technical feasibility. If it technically feasible for an ILEC to install new technology at the specific request of a CLEC, or to combine elements in novel ways to offer new functionalities or service superior to that which the ILEC provides it own customers, the "not invented here" syndrome is not a valid reason for denying such a request. Under the Commission's forward-looking TELRIC standard, the ILEC would recoup all of the costs it incurs in installing new technology, and Sprint fails to see how the ILEC is prejudiced by being asked to do so.

B. Separate Charges For Loop Conditioning

MFS (at 5-8) seeks clarification of whether loop-conditioning costs should be recovered from all loop purchasers on a non-discriminatory basis or on a loop-specific basis through non-recurring charges imposed only on the carriers that request the particular conditioning or unbundling. MFS supports a general rule that additional charges for preparation of unbundled loops can be assessed only if the requesting carrier asks for a capability or technology that is more costly than the network design assumed in a forward-looking cost study. In that connection, MFS argues that where loops are shorter than 18,000 feet in length, they will support ISDN, ADSL and HDHL without further

conditioning, and requests clarification that ILECs may not impose charges for conditioning such loops to provide these services.

Sprint opposes this latter clarification. MFS recognizes (n.10 at 8) that ILECs will in fact incur conditioning costs in these instances, but argues that these costs would not be incurred in a "proper forward-looking network design." Sprint believes that this reflects a misunderstanding on MFS' part of the Commission's TELRIC methodology. In ¶683, the Commission explicitly rejected the notion that TELRIC should be based upon the most efficient network architecture and technology that is operationally feasible and currently available. Instead, in ¶685, it decided to base its cost methodology on "the most efficient technology deployed in the incumbent LEC's current wire center locations." Over time, new technology would permit advanced services to be placed over copper wire loops without the need for conditioning. However, unless that technology is employed in a particular wire center today, the Commission's TELRIC methodology would clearly allow any added conditioning costs required by the technology actually employed in that wire center to be recovered.

C. Unbundled Elements For Shared Transport

Sprint agrees with WorldCom (at 2-8) that the Commission should make clear that a usage-based option for shared transport facilities should be available both (1) from a

serving wire center to an end-office via a tandem switch, based on airline mileage from the serving wire center to the end-office; and (2) between end-offices even if a tandem switch is not traversed. The former point was litigated at length in CC Docket No. 91-213, and for all of the reasons explained in WorldCom's petition, the result reached by the Commission in that docket -- giving carriers the option to buy usage-based transport from a serving wire center to an end-office -- should be applicable here as well.

Shared transport may also be needed between ILEC end-offices, where no tandem switching is involved. This would be the case, for example, if a CLEC has two customers, each of which is served through unbundled loops and unbundled switching purchased from the ILEC, but the customers' loops are connected to different end-offices. Shared transport to take the calls between these two customers from one end-office switch to the other, is clearly the most economical means of handling the traffic. Otherwise, the CLEC would be forced to pay the additional costs associated with partitioning the end office switches (in order to designate particular trunks over which to take the traffic coming out of the end offices), and the volume of traffic might be so low between any two end offices on dedicated facilities that it would be uneconomic and inefficient to require such facilities to be used.

D. Implementation of Electronic Interfaces

Several parties share Sprint's concern (see Sprint's petition for reconsideration at 5-7) about the implementation schedule for electronic interfaces with ILEC operations support systems. LECC argues (at 4-5) that LECs should not be required to make these interfaces operational by the current January 1, 1997 deadline and that January 1, 1998 is a more realistic date. MCI argues (at 39-41) that the January 1, 1997 deadline should relate only to interim interfaces, and that the Commission should establish a date certain for the development of national standards. WorldCom (at 9) asks the Commission to require ILECs to submit a report by December 1, 1996 regarding their OSS compliance efforts, and quarterly reports for at least a three year period showing whether requesting carriers are obtaining nondiscriminatory access to the ILECs' OSS functions compared to the access that ILECs provide themselves and their affiliates.

Sprint agrees with LECC that the January 1, 1997 date is not feasible for implementation of electronic interfaces with OSS. Rather than merely postpone that date for a year, as LECC proposes, Sprint agrees with MCI that national standards are needed, in order to ensure that CLECs operating in several locations are not burdened by having to develop different interfaces with every ILEC with whom they interconnect. Thus, Sprint joins in MCI in urging the Commission to establish a

deadline for development of national standards, and in addition to impose a reasonable deadline thereafter for implementation of those standards.

Sprint also agrees with MCI that there is a need for interim interfaces, while these national standards are being developed and implemented, to avoid forcing CLECs to rely on paper, faxes and phone calls for their interactions with ILECs. It is not clear to Sprint that it would be feasible to implement such interim interfaces by January 1, 1997, as MCI urges. Rather, as Sprint suggested in its petition (at 7), the burden should be on the ILEC to show the period of time needed to implement a request for an interim interface.

If the Commission adopts Sprint's approach of requiring the implementation of national standards for these interfaces, that should obviate the need for the three-year reporting requirements WorldCom seeks to impose.[1] It can be presumed that the industry standards would guarantee -- as indeed §251 requires -- that CLECs' access to the ILECs' operations support systems be of equal quality to that which the ILECs provide themselves and their affiliates.

[1] The ongoing CLEC-ILEC negotiations should be sufficient to inform CLECs of the current status of electronic interfaces, thus obviating the need for the December 1, 1996 report requested by WorldCom.

III. PRICING OF UNBUNDLED NETWORK ELEMENTS (¶¶618-836)

A. Reasonable "Fill Factors"

AT&T (at 22-24) discusses at length the need for reasonable utilization factors in computing TELRIC costs. AT&T recognizes that building in substantial excess capacity at the time that the transmission plant is first deployed may be more cost efficient in the long run than building merely to serve then-existing demand and having to add more facilities each time the demand increases. At the same time, AT&T is correct that it may not be reasonable to impose all of the costs of this excess capacity on existing ratepayers when much of this excess capacity is put in place to serve future demand. As a result, AT&T proposes that the Commission offer two options to the parties and the states: (1) to size a reconstructed network to meet only current demand, and compute the unit costs of that network of that network based on current demand and a high utilization factor, or (2) use a lower initial fill factor and attempt to determine unit prices that take both initial demand and eventual higher demand (along with the time it takes that demand to develop) into account.

While Sprint agrees with the general thrust of AT&T's observations about utilization factors, and fully agrees with AT&T that utilization factors should be reasonable, it does not endorse either of AT&T's proposed options. Sprint

disagrees that AT&T's first option is simple. AT&T apparently contemplates relatively high fill factors in order to derive unit prices. However, that begs the question of how much excess capacity is reasonable given any fixed level of demand. In fact, with a constantly growing network, and an increasing number of consumers ordering second (and third) loops, no local carrier in fact ever designs a network for a fixed level of demand. Sprint believes it is reasonable to require ILECs to explain, either in the course of negotiations or arbitrations, the design criteria and fill factors that they employ in their networks. However, absent some reason to believe that an ILEC's design criteria result in an inordinate amount of excess capacity, the most straightforward way of computing unit costs is to use the ILEC's average existing fill factors. These fill factors are likely to represent a wide range of utilizations, from a lower-than-normal utilization in, for example, a subdivision in a suburban area that is just beginning to undergo residential or commercial development, to higher-than-reasonable fill factors in established neighborhoods where growing demand for telecommunications service has exhausted the normal spare capacity, and the carrier is about ready to commence an overbuild of its loop plant. This approach short-circuits the difficulties of determining, even in AT&T's "simple" option,

a "normal" level of excess capacity, and avoids the conjecture inherent in AT&T's admittedly complicated second option.

B. Deaveraging Of Unbundled Loop Rates

ALTS (at 2) seeks clarification that the proxy loop rates must be geographically deaveraged. AT&T argues (at 26-28) that the proxy loop rates should be deaveraged on a statewide basis, not ILEC by ILEC,[2] and that the permanent rates for unbundled loops likewise should be unbundled on a statewide basis. On the other hand, the Washington Utilities and Transportation Commission ("WUTC") agrees (at 3-4) with Sprint (at 7-9) that it is not appropriate to geographically deaverage the proxy rates for loops.

As Sprint explained in its petition, since the proxy rate is statewide in application and is not based on the costs of any particular carrier (nor, by virtue of the basis on which the proxies were calculated, even based on the collective costs of all carriers in a state), there is no principled basis on which to deaverage the proxy rates based on density. Moreover, as Sprint also explained in its petition, requiring the deaveraging of a statewide proxy rate may prejudice particular ILECs. An ILEC that serves largely rural areas of a state may have higher costs (even in its most dense service areas) than an ILEC that serves a state's urban centers. Accordingly, Sprint opposes both the requested clarification

[2] See also MFS at 21.

of ALTS, and AT&T's contention that the proxy rate must be deaveraged on a statewide basis.

For similar reasons, Sprint also opposes AT&T's argument that permanent loop rates should be deaveraged on a statewide basis. The cost levels and density characteristics of the ILECs operating in a state may legitimately differ from one ILEC to the next, and the density-deaveraged loop prices should take into account the characteristics of each ILEC. The very purpose of density-based geographic deaveraging is to tailor rates more closely to underlying cost characteristics. That link is destroyed if a "one size fits all" approach is taken to geographic deaveraging. A state commission may decide that the criteria for defining the high, medium, and low density areas should apply uniformly to all ILECs operating in a state, but at the very least, each ILEC's forward looking costs should be the basis of its permanent unbundled loop rates in each density zone.

C. Proxy Rates For Collocation And Transport

Although the existing interstate tariffed transport and collocation rates may be closer to TELRIC than is the case of other interstate switched access elements, Sprint agrees with MCI (at 35-37) that proxy rates, based on current interstate tariffs, for those elements are still above costs. For the reasons discussed below, Sprint does not agree with MCI that the Hatfield Model should be used to determine default prices.

At the same time, the Commission should recognize that its proxy rates for these elements may not be cost based, and should undertake to develop TELRIC-based proxies for these elements in its forthcoming rulemaking on proxy models.

D. Application of Access Charges to Unbundled Elements

LECC argues (at 12-13) that the Commission's transitional plan, requiring users of the unbundled switching element to continue to pay substantial portions of existing interstate and intrastate access charges, should remain in effect until access reform has been implemented should such implementation extend beyond June 30, 1997. Sprint opposes this request.

Although Sprint did not seek reconsideration of the Commission's determination to impose the access transition plan, it had argued against such a measure prior to the issuance of the First Report and Order. As long as CLECs are paying the full, forward-looking costs of the facilities they purchase, imposing any access charges on top of these costs is simply a windfall to the ILECs, a disincentive for them to cooperate with the access reform, and a substantial barrier to the development of local competition. Sprint declined to seek reconsideration on this issue only because of the firm termination date of June 30, 1997 in the First Report and Order. Extending the transition plan beyond that date would unwarrantedly extend a windfall to ILECs that is unwarranted and that they could use against CLEC competitors. It would

also give the wrong economic signals for entry -- new entrants may be induced to deploy their own switches, when it may be more cost-efficient to use ILEC switches instead, because of the added burden of paying access charges on top of the cost based rates for local switching.

Sprint acknowledges that there is a fundamental need for a coordinated approach to local interconnection, universal service funding, and access reform. There is also a critical need for states to recognize that the residual ratemaking approach they have used in setting local residential rates in the past is no longer sustainable and that rate rebalancing is a necessary outgrowth of local competition. However, it needs to be clearly understood that discouraging the local competition that the 1996 Act was intended to foster, by placing uneconomic charges on purchasers of unbundled network elements, is not the solution to this complex problem.

For similar reasons, Sprint opposes the request of WUTC (at 10-11) that states should be free to decide whether to apply intrastate access charges to purchasers of unbundled network elements. Doing so is antithetical to competition and cannot be squared with the concept of just and reasonable charges in §251(c)(3) or the cost-based rate standard of §252(d)(1).

E. The FCC Should Not Adopt A Definitive Pricing Model At This Time

MCI (at 2-7) urges the Commission to expressly endorse Version 2.2.2 of the Hatfield Model as a suitable means of calculating the TELRIC of unbundled network elements, rather than deferring this issue to a later date and a separate rulemaking, as the Commission contemplated in ¶835. The Commission's endorsement of a particular model for pricing unbundled network elements is sufficiently important that Sprint believes the Commission's proposal to devote a separate rulemaking to determine whether a particular model can be adopted is by far the preferable course of action. It is not clear that all interested parties have had sufficient opportunity to examine the version of the Hatfield Model now espoused by MCI in sufficient depth to be able to present the Commission, in their reconsideration pleadings, with a full record upon which to decide whether or not to endorse it as the method of calculating prices for unbundled network elements.

Sprint would like to address certain criticisms made by MCI (at 4-5) against the Benchmark Cost Model version 2 (BCM2), jointly developed by Sprint and U S West in connection with the proceedings in CC Docket No. 96-45. MCI claims that while its model is easy to use, it is difficult to change the inputs into BCM2. Sprint's experience is quite the opposite:

it has found it difficult to run the Hatfield Model and believes that it is quite straightforward to alter the input variables in BCM2.

MCI also faults BCM2 for using universal digital loop carrier technology instead of integrated digital loop carrier ("IDLC"), the technology assumed in the Hatfield Model. In fact, BCM2 uses a combination of the two technologies, depending on the density characteristics of the particular census block group. In higher density areas, IDLC is used, but universal digital loop carrier technology may be more cost effective in lower density areas.

MCI further claims that BCM2 bases significant cost components on embedded costs, instead of using forward looking economic costs. BCM2 uses ARMIS data as the starting point only for non-plant-specific expenses. Moreover, those data are deflated by a .75 factor (as MCI acknowledges) to recognize the productivity gains that can be expected from an efficient, forward looking carrier.[3] Thus, the cost levels are in fact below embedded costs.

Finally, MCI's assertion that BCM2 was designed to determine the costs of basic local exchange service, rather than unbundled network elements, is true but irrelevant. It is because BCM2 was developed to estimate local service costs

[3] This is an input that can be changed by the user of the model, if the user believes a different deflator is more appropriate.

that the model was introduced in the record in the Universal Service docket, rather than in this docket. Nonetheless, the model can be modified to estimate the costs of particular unbundled network elements, and the Sprint ILECs are adapting the model for use in estimating their unbundled element prices in pending interconnection negotiations.

IV. RESALE ISSUES (¶¶907-71)

A. The Calculation Of Avoided Costs

MCI (at 12-14) raises two issues with respect to the Commission's calculation of avoided costs. First, it argues that since the Commission chose not to require ILECs to offer interstate exchange access services on a wholesale basis, the costs associated with providing those services should have been excluded from the data used to calculate the discount. Second, MCI contends that in calculating the percentage of avoided costs, the Commission should compare avoided direct costs to total direct costs, and then assume that the indirect costs are avoided in that same proportion.

The Commission's approach to calculating the wholesale discount results in a larger wholesale discount than the position Sprint had advocated in its prior submissions in this docket. Nonetheless, Sprint did not seek reconsideration, because the Commission's order makes clear that its determinations in this regard are only rebuttable presumptions and need not be followed if an ILEC proves that specific costs

in the various accounts discussed in the Report and Order will not be incurred with respect to services sold at wholesale or relate to costs that are not included in the retail prices of the resold services. Although Sprint, as a result, disagrees with the premise that these indirect costs should have been treated as avoided, it agrees with the contentions of MCI at 12-14 regarding how to compute the discount, taking, as given, the Commission's determinations on this issue.

B. Resale Restrictions

Another set of resale issues relates to the services that must be made available for resale and the services subject to the wholesale discount. MCI (at 8-12) challenges the Commission's exclusion of "short term" promotional rates from the wholesale discount obligation. MCI argues that the basis for this exclusion -- an alleged ambiguity in the term "retail" -- is unfounded and that the exclusion could give rise to anticompetitive conduct by ILECs in the form of stringing together a series of promotions. Although Sprint shares MCI's view that there is no ambiguity in the term "retail," it did not seek reconsideration on this point, in view of the Commission's clear intent that this exception to the wholesale discount requirement be a narrow one. Nonetheless, Sprint believes that MCI has proposed several worthwhile clarifications with respect to this exception.

First, the Commission should give meaning to the term

"sequential" in §51.613(a)(2)(B) by making clear that a substantial period of time (e.g., the one year period suggested by MCI at 10) must transpire between promotions for the same underlying service. Second, the Commission should prohibit extensions of short-term promotions beyond the 90-day time limit established in the rules. Sprint further agrees with MCI's suggestion (at 11) that the term "promotion" should be defined more broadly than as just a temporary price discount, and should encompass other incentives as well. Finally, MCI correctly urges the Commission to clarify that services subject to short-term promotions will not only remain available for resale at the normal retail rate less the wholesale discount, but also must be made available for resale at the retail promotional rate.

On the other hand, Sprint opposes the request of LECC (at 2-4) to exempt customer-specific contracts from the wholesale discount obligation. LECC ignores the fact that §251(c)(4) requires wholesale rates to be offered for "any" service that the carrier provides "at retail... ." Even if the Commission were not bound to reject LECC's argument by the clear terms of the statute, exemption of customer-specific contracts would be bad policy as well: the ILECs could use this exemption to swallow up the general rule. Finally, if (as LECC argues) the avoided costs associated with such contracts are less than those associated with other services, the wholesale pricing

provisions in the Order (see ¶916) would allow the ILECs to propose a smaller discount for such services if they can cost-justify it.

V. RECIPROCAL COMPENSATION ISSUES (¶¶1027-1118)

A. Local Calling Areas

NCTA proposes (at 24) that the Commission reconsider the decision to give "the States the authority to determine what geographic areas should be considered local for the purpose of applying either reciprocal compensation obligations or access charges," and suggests that the Commission rule instead that "traffic rated by the CLEC as local is entitled to local transport and termination rates" (id.). NCTA expresses concern (id.) that "the vast majority of States will define a CLEC's local calling area by reference to the ILEC's service territory even if portions of their local service areas are not the same," and that the states could thereby force CLECs to pay access charges for termination of local traffic.

Sprint opposes NCTA's request. NCTA's hypothetical examples (at 24-26) of how a state might define local calling areas in such a way as to thwart new entry may raise valid concerns. However, NCTA's solution of letting each CLEC define for itself its local calling area would seem to intrude on the historical role states have performed. If, as NCTA fears, states use their power to define local calling rates in

a way that thwarts new entry, there are adequate remedies under the Act to address concrete instances of abuse.

B. Application of Symmetrical Rates

In its petition for reconsideration (at 11-14), Sprint argued that in applying an ILEC's transport and termination rates to a CLEC, the CLEC should not be paid for a "phantom" network -- e.g., paying the CLEC for a tandem switching function, when its network only contains one switch, or treating its loop plant as if it were interoffice transport. Other petitioners take the opposite side of this issue. Comcast (at 14-15) argues that the cellular MTSO performs tandem switching functions by connecting cell sites in the cellular network, even though only one switch exists. Similarly, Cox Communications argues (at 3-7) that the rule should be clarified so that reciprocal compensation is always symmetrical -- that if a switch provides both end office and tandem functionality, it should be treated as a tandem when connecting with the tandem and should be treated as an end office when connecting with an end office.

Sprint recognizes that the network architecture of a CMRS provider or a CLEC may vary substantially from that of an ILEC, and that it is not always easy to decide which pieces of the CLEC's network are precisely analogous to the more familiar pieceparts of an ILEC network. At the same time, however, it is unfair to ILECs to require them to pay a CLEC